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(Modified) PTO/SB/21 (6-98)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/081,526		
	Filing Date	February 21, 2002	
	First Named Inventor	Wilkinson	
	Group Art Unit	Unassigned	
	Examiner Name	Unassigned	
Total Number of Pages in This Submission	6	Attorney Docket Number	0174.210US

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below): Form 1449; Refs.: 1-57 Receipt of Acknowledgement Postcard
Authorization to Charge Deposit Account Please charge Deposit Account No. 50-0990 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Christopher M. Holman Reg. No. 40,021
Signature	
Date	7/10/02

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 7-10-2002

Typed or printed name	JULIE K. MAUSEN		
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Washington, D.C. 20231

On July 10, 2002



By Julie K. Mause
JULIE K. MAUSE

Attorney Docket No. 0174.210US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Jack Wilkinson et al.

Application No.: 10/081,526

Filed: February 21, 2002

For: METHODS FOR IMPROVING
OR ALTERING
PROMOTER/ENHANCER
PROPERTIES

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR § 1.97 and
§ 1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The references cited on attached form PTO-SB/08 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

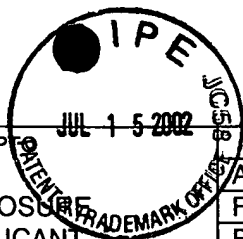
Applicants believe that no fee is required for submission of this statement, since it is being submitted prior to a first Office action on the merits. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0990. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Holman', with a stylized flourish at the end.

Christopher M. Holman
Reg. No. 40,021

Maxygen, Inc.
Patent Department
515 Galveston Drive
Redwood City, California 94063
Telephone: (650) 298-5300
Facsimile: (650) 298-5446
Customer No. 30560



Substitute for form 1449A-B/P

Complete if Known

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Application Number	10/081,526
Filing Date	February 21, 2002
First Named Inventor	Jack Wilkinson
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket Number	0174.210US

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code (if known)			
	1	5,521,077		Khosla et al.	05/28/96	
	2	5,723,323		Kauffman et al.	03/03/98	
	3	5,824,469		Horwitz et al.	10/20/98	
	4	5,965,408		Short	10/12/99	
	5	6,171,820	B1	Short	01/09/01	
	6	6,238,884	B1	Short et al.	05/29/01	
	7	6,319,714	B1	Crameri et al.	11/20/01	
	8	6,358,740	B1	Patten et al.	03/19/02	
	9	6,368,861	B1	Crameri et al	04/09/02	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (if known)				
	10	WO	97/07205	A1	Novo Nordisk	02/27/1997		
	11	WO	97/20078	A1	Affymax Technologies N.V.	06/05/1997		
	12	WO	97/25410	A1	Novo Nordisk	07/17/1997		
	13	WO	97/35957	A1	Maxygen, Inc.	10/02/1997		
	14	WO	97/35966	A1	Maxygen, Inc.	10/02/1997		
	15	WO	98/27230	A1	Maxygen, Inc.	06/25/1998		
	16	WO	98/28416	A1	Novo Nordisk	07/02/1998		
	17	WO	98/41622	A1	Novo Nordisk	09/24/1998		
	18	WO	98/41623	A1	Novo Nordisk	09/24/1998		
	19	WO	98/41653	A1	Novo Nordisk	09/24/1998		
	20	WO	98/42832	A1	California Institute of Technology	10/01/1998		
	21	WO	99/23236	A1	Diversa Corporation	05/14/1999		
	22	WO	99/29902	A1	California Institute of Technology	06/17/1999		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Substitute for form 1449A-B/PTO

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**SUPPLEMENTAL INFORMATION
DISCLOSURE STATEMENT BY
APPLICANT**

(use as many sheets as necessary)

Application Number	10/081,526
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	23	WO	99/65927	A1	Maxygen, Inc.	12/23/1999		
	24	WO	00/04190	A1	Maxygen, Inc.	01/27/2000		
	25	WO	00/42561	A1	Maxygen, Inc.	07/20/2000		
	26	WO	00/52155	A1	Maxygen, Inc.	09/08/2000		
	27	WO	00/53744	A1	Diversa Corporation	09/14/2000		
	28	WO	00/58517	A1	Diversa Corporation	10/03/2000		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	29	CHANG, C., et al. "Evolution of a cytokine using DNA family shuffling," <i>Nature Biotechnology</i> , (1999) 17:793-797.	
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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)	Complete if Known	
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	Attorney Docket Number	0174.210US

41	MINSHULL, JEREMY et al., "Protein evolution by molecular breeding", <i>Current Opinion in Chemical Biology</i> , (1999) 3:284-290	
42	NESS, JON E. et al., "DNA shuffling of subgenomic sequences of subtilisin", <i>Nature Biotechnology</i> , (1999) 17:893-896.	
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